

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUCAS HOLMES,

Plaintiff,

v.

NORTH KERN STATE PRISON
HEALTH CARE GRIEVANCE OFFICE,
et al.,

Defendants.

Case No. 1:20-cv-01466 JLT (PC)

**ORDER GRANTING PLAINTIFF'S
MOTION FOR CLARIFICATION
(Doc. 8)**

THIRTY-DAY DEADLINE

When plaintiff initiated this action, he submitted a partial application to proceed in forma pauperis. (See Doc. 2.) Specifically, the second page of the application, which would have also included his signature, was not provided to the court. Thus, the Court ordered Plaintiff to submit a completed and signed application or to pay the filing fee in full. (Doc. 7.) Plaintiff has now submitted a notice indicating that he is unable to comply with the court's order because institutional staff at Tehachapi State Prison, where he is presently housed, will not provide him with a certification of his financial status. The Court construes this filing as a motion for clarification.

On review, the Court GRANTS plaintiff's motion. Plaintiff is informed that the portion of the application to proceed in forma pauperis seeking certification of financial status is highlighted to indicate that it is only to be completed by non-CDCR incarcerated prisoners. Plaintiff, who is

1 housed at Tehachapi State Prison, is incarcerated within the California Department of Corrections
2 and Rehabilitation and is, therefore, exempt from this requirement. Accordingly, plaintiff is
3 directed to submit a completed application to proceed in forma pauperis or pay the \$402 filing fee
4 in full within thirty days from the date of this order. Failure to do so will result in a
5 recommendation that this action be dismissed.

6
7 IT IS SO ORDERED.

8 Dated: March 3, 2021

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE